

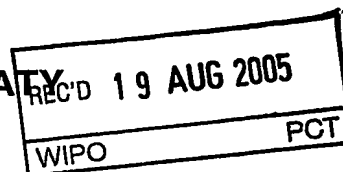
PATENT COOPERATION TREATY


PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)



Applicant's or agent's file reference	FOR FURTHER ACTION See Form PCT/PEA/416	
International application No. PCT/EP2004/002851	International filing date (day/month/year) 18.03.2004	Priority date (day/month/year) 24.03.2003
International Patent Classification (IPC) or national classification and IPC A47F3/04		
Applicant UNILEVER PLC et al.		
<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 4 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input checked="" type="checkbox"/> sent to the applicant and to the International Bureau) a total of 1 sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>		
<p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the opinion</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p>		
Date of submission of the demand 06.10.2004	Date of completion of this report 17.08.2005	
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer MacCormick, D Telephone No. +49 89 2399-7959	



**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/EP2004/002851

Box No. 1 Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This report is based on translations from the original language into the following language , which is the language of a translation furnished for the purposes of:

- ☐ international search (under Rules 12.3 and 23.1(b))
- ☐ publication of the international application (under Rule 12.4)
- ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the **elements*** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:

Description, Pages

1-8 as originally filed

Claims, Numbers

6-12 as originally filed

1-5 received on 07.10.2004 with letter of 06.10.2004

Drawings, Sheets

1/3-3/3 as originally filed

☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (*specify*):
- ☐ any table(s) related to sequence listing (*specify*):

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/figs
- ☐ the sequence listing (*specify*):
- ☐ any table(s) related to sequence listing (*specify*):

* If item 4 applies, some or all of these sheets may be marked "superseded."

**INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY**

International application No.
PCT/EP2004/002851

Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	
	No: Claims	1-4
Inventive step (IS)	Yes: Claims	
	No: Claims	5-12
Industrial applicability (IA)	Yes: Claims	1-12
	No: Claims	

2. Citations and explanations (Rule 70.7):

see separate sheet

**INTERNATIONAL PRELIMINARY
REPORT ON PATENTABILITY
(SEPARATE SHEET)**

International application No.

PCT/EP2004/002851

Re Item V

Reference is made to the following documents: **D1: US-A-2 671 319**

D2: FR-A-2 678 718

D3: US-A-5 765 391

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of independent claim 1 is not new in the sense of Article 33(2) PCT.

The document **D1** discloses a display and dispensing assembly (indicated at 15, fig.1) for use in combination with a freezer cabinet (indicated at 14) which has an internal temperature T1; said cabinet comprising a housing located externally of the freezer cabinet (see fig.3); a chamber © within the housing in which products can be stored and from which they can be dispensed, said products being stored at T2 (>T1); a first heat transfer means (27) within the housing; a second heat transfer means (33, 34: see figs.6-9) intended to be placed inside the freezer cabinet (14); and a means (19) for circulating a heat transfer fluid through the first and second heat transfer means, and wherein the assembly is removable from the freezer cabinet **.

** please note that there is nothing in D1 which indicates that said assembly cannot be removed from the freezer cabinet. On the contrary, such a task is merely a matter of straightforward mechanical deconstruction.

All of the features of claim 1 are therefore disclosed in D1.

Dependent claim 2-4 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty, see documents D1 and D2, and the corresponding passages cited in the search report.

Dependent claim 5-12 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step, see documents D2 and D3, and the corresponding passages cited in the search report.

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Claims

- 1) A display and dispensing assembly for use in combination with a freezer cabinet which has an internal temperature T1, said display
5 and dispensing assembly comprising
 - (a) a housing located externally of the freezer cabinet
 - (b) a chamber within the housing in which products can be stored and
10 from which they can be dispensed, said products being stored at a temperature of T2 which is higher than T1
 - (c) first heat transfer means within the housing
 - (d) second heat transfer means intended to be placed inside the freezer cabinet
 - (e) means for circulating a heat transfer fluid through the first
15 and second heat transfer means,
and wherein the assembly is removable from the freezer cabinet.
- 2) A display and dispensing assembly as claimed in claim 1 wherein
the first heat transfer means comprises pipework around the chamber
20 through which the heat transfer fluid is pumped
- 3) A display and dispensing assembly as claimed in claim 1 or claim 2
wherein the second heat transfer means is connected to the first heat
transfer means by flexible tubes that pass over a side wall of the
25 freezer cabinet.
- 4) A display and dispensing assembly as claimed in any one of claims
1 to 3 wherein the second heat transfer means may comprise pipework
housed around a casing of a thermally conductive material.
- 0 5) A display and dispensing assembly as claimed in claim 4 wherein
the casing contains a eutectic material

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